



## **Senate Bill 47 – Evidence – Wiretapping and Electronic Surveillance – Fair Housing Testing**

### **Position: Support with Amendments**

Maryland REALTORS® takes all allegations of discrimination in the housing market seriously. As a result, we offer our support for the goals of SB 47, to allow for greater testing of fair housing violations in the state.

While the federal Fair Housing Act was passed 55 years ago, reports of discrimination persist today in areas of the home buying and selling process. At all levels of the REALTOR® organization, there is a renewed awareness of those issues, and a determined focus on addressing them. We thank the sponsor for sharing those goals.

As for the particulars of this legislation, we believe that clarifying amendments are necessary to achieve the intent of the bill.

First, the term “a non-profit civil rights organization” in Section 10–402(c)(12)(I)(4) is overly broad and could open fair housing testing to entities that are not fully trained in this area. The U.S. Department of Housing and Urban Development (HUD) has outlined requirements for Qualified Fair Housing Enforcement Organizations (QFHO) in their regulations which could act as a starting point for a new definition.

Also, Section 10–402(c)(12)(III), which outlines the conditions under which wire and video surveillance may occur, is open to interpretation as to which types of fair housing testing may be conducted in Maryland. Generally there are three unofficial categories of fair housing testing: educational, enforcement and exploratory. It could be argued that the current bill language allows or precludes each type. The bill also remains silent on reporting requirements for findings, records retention, and the like for each of these different types of testing.

REALTORS® fully support the goal of reducing any bias which may occur in the housing market. Once the above issues have been addressed, we respectfully ask for your support of Senate Bill 47.

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